

Acton Board of Health

July 28, 2008

Members Present: William Taylor, Chairman, Joanne Bissetta, Vice Chairman, Mark Conoby, Member, William McInnis, Member and Joseph Iannelli, Associate.

Staff Present: Doug Halley, Health Director and Sheryl Ball.

Others Present: Peggy Mikkola, Representative of League of Women Voters, Mary Michelman, Dorothy Campell, Mark Sleger, Nan Towle-Millett, Hart Millett, Misuzu Yamanaka, Christian Schioave and Stephanie Conklin.

The meeting was called to order at 7:35 p.m.

Minutes

On a motion made by, seconded by Mr. Conoby, the Board unanimously voted to approve the Board of Health minutes dated June 23, 2008 as amended.

Discussion – Lyme Disease

Mr. Halley discussed the issues regarding Lyme Disease in Acton and ways to help decrease the spread of Lyme Disease. Mr. Halley stated that within the past month the department has received many calls from residents regarding the growing numbers of Lyme Disease in Acton. Mr. Halley stated that he has been working with APHNS and looked at records which show that we currently have 86 cases in Acton. Justin Snair, Health Department, has collected some information from other states regarding Lyme Disease and is currently working on a program as to how to address these issues. The State of Connecticut concluded that 98% of cases happen around the home with the highest population being children 14 and under and adults over 40. Mr. Snair stated that Lyme, Ct is utilizing programs which consist of landscape management, host protection by application of tickacide on the deer, control through hunting and spraying and personal tick checks. Mr. Snair recommended that we move forward with an educational

program which includes working with the conservation to allow the posting of signs on all conservation areas, public education, working with local businesses for possible distribution with educational materials residents. Mr. Snair stated that it is crucial to find the tick on your person within 24 hours to prevent the bacteria from entering the body and feels that reminders to conduct personal tick checks will help residents become more aware. Mr. Snair also pointed out that tickicide application on the deer is currently not approved in Massachusetts, however, it is under review by the Mass. Department of Wildlife. Mr. Iannelli asked if there is any data that proves this application works. Mr. Snair indicated that it has been shown to prevent ticks from developing. The Board expressed their concern and discussed the recommended ways to help this situation. Some audience members expressed their concern with these recommendations. Ms. Michelman vehemently stated that she does not want the town to use spray as a treatment method. Ms. Campell stated that they Town should open up the conservation areas to hunting. Mr. Halley stated that he would like to invite Central Mass. Mosquito control project before the Board at a future meeting to speak about the effects of spraying on ticks. Mr. Halley further stated that he would like to see some wood chip and stone barriers placed around the conservation areas. The Board suggested that the Health Department draft a letter to the Board of Selectmen as to how the town could do more to prevent disease transmission. On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to draft a letter to the Board of Selectmen for Mr. Taylor's signature.

Variance – 8 Woodchester

The Health Department is in receipt of a request for a variance from 310 CMR 15.405(1)(h) – for a reduction of required separation to groundwater for the property located at 8 Woodchester Drive. The Health Department has reviewed the plans and finds that the property is restricted by high groundwater and site limitations. The groundwater was found to be at 3 feet. The Health Department recommends approval of this request. On a motion made by Ms. Bissetta, seconded by Mr. Conoby, the Board unanimously voted to grant a variance from 310 CMR 15.405(1)(h) to the property located at 8 Woodchester Drive with the following conditions:

1. The septic tank shall be pumped once every two years.
2. The applicant has provided an effluent tee filter shall be installed.
3. Two compartment tank is required.

4. The system shall be constructed in accordance with the above listed conditions and in accordance with a plan stamped by James Morin, dated 6/19/2008.

Variance – 6 Haynes Court

The Health Department is in receipt of a variance request from Article 16-6.2.5 for a reduction in the setback to groundwater for the property located at 6 Haynes Court. Mark Sleger, engineer representing the homeowner, stated that this property is currently not in failure, however, the home is quite old and the homeowners have decided to upgrade the system in case they want to sell. The site is located within the aquifer and the system is required to be built 6 feet above groundwater which can only be achieved with the use of a pump. This brings the additional cost of the system in the neighborhood of \$3,000-4,000. The Health Department has reviewed this request and finds that pressure dosing is required and would allow for a 5' foot separation from groundwater and there are no site restrictions to warrant the granting of this variance. The pressure dosing would allow for more equal distribution of the effluent. Mr. Sleger stated that if this variance is not allowed the homeowners may not upgrade the system. Mr. McInnis asked why they would do the upgrade if the system is not in failure and to prove it is not in failure a Title 5 could be conducted for far less money. Mr. McInnis further stated that variances are only approved when there is a manifest injustice to the homeowner. On a motion made by Mr. McInnis, seconded by Mr. Conoby the Board unanimously voted to deny the variance request. from Article 16-6.2.5.

Title 5 Waiver Request – 208 Parker Street

The Health Department is in receipt of a request for a Title 5 waiver under 310 CMR 15.301(4)(b) for the property located at 208 Parker Street. The Health Department has reviewed this request and finds that the property will be torn down and connected to sewer during construction of the new house. The property will be required to connect within 120 days of this request. On a motion made by Mr. Conoby, seconded by Ms. Bissetta, the Board unanimously voted to grant this Title 5 waiver request to the property located at 208 Parker Street with the following conditions:

1. The property located at 208 Parker Street shall connect to the Town of Acton Middle Fort Pond Brook Sanitary Sewer System within 120 days from the date of the waiver letter.

2. The onsite sewage disposal system shall be serviced as necessary and an enforcement letter from the Acton Board of Health or the Massachusetts Department of Environmental Protection may shorten this waiver period, should the system endanger the public health of the environment.
3. The waiver, along with these conditions, shall be communicated in writing to the purchaser and any other subsequent owners until the property at 208 Parker Street is connected to the Town of Acton Middle Fort Pond Brook Sanitary Sewer System.
- 4.

Emergency Beaver Trapping Permit - 20 Main Street

Mr. Halley stated that this property is currently inundated with water and is in desperate need of a Beaver trapping permit. The basement and parking lot are currently under water. On a motion made by Mr. McInnis, seconded by Mr. Conoby, the Board unanimously voted to grant an emergency beaver trapping permit to the property located at 20 Main Street for a period of 10 days..

Other –

Quail Ridge Country Club – Mr. Halley stated that the Quail Ridge Country Club will be brought back to the Board for another show cause hearing as they have not honored their previous commitments to the Board..

Adjournment

On a motion made by Ms Bissetta, seconded by Mr. Conoby, the Board unanimously voted to adjourn at 8:50 PM.

Respectfully Submitted,

Sheryl Ball, Health Secretary
Acton Board of Health

William Taylor, Chairman
Acton Board of Health